

Steven J. Shamburek
 Alaska Bar No. 8606063
 LAW OFFICE OF STEVEN J. SHAMBUREK
 425 G Street, Suite 630
 Anchorage, Alaska 99501
 (907) 522-5339 Direct
 (907) 522-5393 Fax

Attorney for Plaintiffs
 Shoreside Petroleum, Inc.,
 d/b/a Marathon Fuel Service
 and Metco, Inc.

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA for the)
 use of NORTH STAR TERMINAL &)
 STEVEDORE COMPANY, d/b/a Northern)
 Stevedoring & Handling, and NORTH)
 STAR TERMINAL & STEVEDORE COMPANY,)
 d/b/a Northern Stevedoring & Hand-)
 ling, on its own behalf,)

Plaintiffs,)

and)

UNITED STATES OF AMERICA for the)
 use of SHORESIDE PETROLEUM, INC.,)
 d/b/a Marathon Fuel Service, and)
 SHORESIDE PETROLEUM, INC., d/b/a)
 Marathon Fuel Service, on its own)
 behalf,)

Intervening Plaintiffs,)

and)

METCO, INC.,)

Intervening Plaintiff,)

vs.)

NUGGET CONSTRUCTION, INC.; SPENCER)
 ROCK PRODUCTS, INC.; UNITED STATES)
 FIDELITY AND GUARANTY COMPANY; and)
 ROBERT A. LAPORE,)

Defendants.)

SHORESIDE'S AND METCO'S
AVAILABILITY

3:98-cv-0009-TMB

COMES NOW Shoreside Petroleum, Inc., d/b/a Marathon Fuel Service and Metco, Inc., by and through counsel, and provide the following dates of availability.

The undersigned is unavailable from March 17 until March 30, 2007. This period of time appears also to coincide with the spring breaks for the Anchorage School District and the schools in Seward. Many of the Seward witnesses live in Seward and would be unavailable during this period of time.

The undersigned also has a one week trial scheduled for the week of April 23, 2007. The undersigned represents the plaintiff in the case against one defendant. The trial likely could be rescheduled if this period of time is convenient for others.

DATED this 29th day of September, 2006 at Anchorage, Alaska.

THE LAW OFFICE OF STEVEN J. SHAMBUREK
Attorney for Plaintiff
Shoreside Petroleum, Inc., d/b/a Marathon
Fuel Service and Metco, Inc.

s/ Steven J. Shamburek

By: _____
Steven J. Shamburek
ABA: 8606063

CERTIFICATE OF SERVICE

The undersigned certifies that on the 29th day of September, 2006, a copy of the foregoing was served by the Electric Case Filing system.

s/ Steven J. Shamburek

Steven J. Shamburek